

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

UNITED STATES OF AMERICA,)
) CASE NO. MJ 16-484
Plaintiff,)
)
v.)
) DETENTION ORDER
THERON HECKENLIVELY,)
)
Defendant.)
_____)

Offense charged: Receipt of Child Pornography

Date of Detention Hearing: November 15, 2016.

The Court, having conducted a detention hearing pursuant to 18 U.S.C. § 3142(f), and based upon the factual findings and statement of reasons for detention hereafter set forth, finds that no condition or combination of conditions which defendant can meet will reasonably assure the appearance of defendant as required and the safety of other persons and the community.

FINDINGS OF FACT AND STATEMENT OF REASONS FOR DETENTION

1. Defendant is charged by Complaint with knowingly and unlawfully receiving

01 child pornography via the Internet using a personal computer. Defendant is required to
02 register as a sex offender as a result of a conviction in Island County Superior Court for Child
03 Molestation in the First Degree. He also has convictions for domestic violence assault.
04 Defendant was not interviewed by Pretrial Services, so his background information is not
05 verified. In 2015, he spent seven days in jail for violation of a protection order. Defendant
06 does not contest entry of an order of detention at this time.

07 2. Defendant poses a risk of non appearance due to lack of verified background
08 information, and a history of non-compliance while on supervision. Defendant poses a risk of
09 danger due to criminal history and the nature of the instant offense.

10 3. There does not appear to be any condition or combination of conditions that will
11 reasonably assure the defendant's appearance at future Court hearings while addressing the
12 danger to other persons or the community.

13 It is therefore ORDERED:

14 1. Defendant shall be detained pending trial and committed to the custody of the Attorney
15 General for confinement in a correction facility separate, to the extent practicable, from
16 persons awaiting or serving sentences or being held in custody pending appeal;

17 2. Defendant shall be afforded reasonable opportunity for private consultation with
18 counsel;

19 3. On order of the United States or on request of an attorney for the Government, the
20 person in charge of the corrections facility in which defendant is confined shall deliver
21 the defendant to a United States Marshal for the purpose of an appearance in connection
22 with a court proceeding; and

01 4. The Clerk shall direct copies of this Order to counsel for the United States, to counsel
02 for the defendant, to the United States Marshal, and to the United State Pretrial Services
03 Officer.

04 DATED this 15th day of November, 2016.

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07 Mary Alice Theiler
08 United States Magistrate Judge
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